

REFERENCE TITLE: kindergarten; full-time students

State of Arizona
House of Representatives
Forty-eighth Legislature
First Regular Session
2007

HB 2613

Introduced by
Representatives Thrasher, Ableser, Campbell CH, Farley, Garcia M, Lujan,
Meza, Pancrazi: Alvarez, Bradley, Brown, DeSimone, Hershberger, Lopez,
Miranda B, Rios P, Tom, Ulmer

AN ACT

AMENDING SECTIONS 15-701 AND 15-901, ARIZONA REVISED STATUTES; REPEALING SECTION 15-901.02, ARIZONA REVISED STATUTES; AMENDING TITLE 15, CHAPTER 9, ARTICLE 1, ARIZONA REVISED STATUTES, BY ADDING A NEW SECTION 15-901.02; AMENDING SECTION 15-943, ARIZONA REVISED STATUTES; RELATING TO KINDERGARTEN PROGRAMS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 15-701, Arizona Revised Statutes, is amended to
3 read:

4 15-701. Common school; promotions; requirements; certificate;
5 supervision of eighth grades by superintendent of
6 high school district; high school admissions;
7 academic credit

8 A. The state board of education shall:

9 1. Prescribe a minimum course of study, as defined in section 15-101
10 and incorporating the academic standards adopted by the state board of
11 education, to be taught in the common schools. THE STATE BOARD OF EDUCATION
12 SHALL ADOPT GUIDELINES FOR SCHOOL DISTRICTS TO ASSESS WHETHER A SCHOOL
13 DISTRICT'S CURRICULUM IS ALIGNED FROM GRADE TO GRADE AND FOR KINDERGARTEN
14 PROGRAMS AND GRADES ONE THROUGH FOUR TO THE ACADEMIC STANDARDS PRESCRIBED
15 PURSUANT TO THIS PARAGRAPH.

16 2. Prescribe competency requirements for the promotion of pupils from
17 the eighth grade and competency requirements for the promotion of pupils from
18 the third grade incorporating the academic standards in at least the areas of
19 reading, writing, mathematics, science and social studies.

20 3. Distribute guidelines for the school districts to follow in
21 prescribing criteria for the promotion of pupils from grade to grade in the
22 common schools. These guidelines shall include recommended procedures for
23 ~~insuring~~ ENSURING that the cultural background of a pupil is taken into
24 consideration when criteria for promotion are being applied.

25 B. Pursuant to the guidelines which the state board of education
26 distributes, the governing board of a school district shall:

27 1. Prescribe curricula that include the academic standards in the
28 required subject areas pursuant to subsection A, paragraph 1 of this section.

29 2. Prescribe criteria for the promotion of pupils from grade to grade
30 in the common schools in the school district. These criteria shall include
31 accomplishment of the academic standards in at least reading, writing,
32 mathematics, science and social studies, as determined by district
33 assessment. Other criteria may include additional measures of academic
34 achievement and attendance.

35 C. The governing board may prescribe the course of study and
36 competency requirements for promotion which are in addition to or higher than
37 the course of study and competency requirements which the state board
38 prescribes.

39 D. A teacher shall determine whether to promote or retain a pupil in
40 grade in a common school as provided in section 15-521, paragraph 3 on the
41 basis of the prescribed criteria. The governing board, if it reviews the
42 decision of a teacher to promote or retain a pupil in grade in a common
43 school as provided in section 15-342, paragraph 11, shall base its decision
44 on the prescribed criteria.

1 E. A governing board may provide and issue certificates of promotion
2 to pupils whom it promotes from the eighth grade of a common school. Such
3 certificates shall be signed by the principal or superintendent of schools.
4 Where there is no principal or superintendent of schools, the certificates
5 shall be signed by the teacher of an eighth grade. The certificates shall
6 admit the holders to any high school in the state.

7 F. A governing board may request certificates of promotion from the
8 county school superintendent. If a governing board requests these
9 certificates from the county school superintendent, the county school
10 superintendent shall furnish and sign the certificates.

11 G. Within any high school district or union high school district, the
12 superintendent of the high school district shall supervise the work of the
13 eighth grade of all schools employing no superintendent or principal.

14 H. A school district shall not deny a pupil who is between the ages of
15 sixteen and twenty-one years admission to a high school because the pupil
16 does not hold an eighth grade certificate. Governing boards shall establish
17 procedures for determining the admissibility of pupils who are under sixteen
18 years of age and who do not hold eighth grade certificates.

19 I. The state board of education shall adopt rules to allow common
20 school pupils who can demonstrate competency in a particular academic course
21 or subject to obtain academic credit for the course or subject without
22 enrolling in the course or subject.

23 Sec. 2. Section 15-901, Arizona Revised Statutes, is amended to read:

24 15-901. Definitions

25 A. In this title, unless the context otherwise requires:

26 1. "Average daily attendance" or "ADA" means actual average daily
27 attendance through the first one hundred days or two hundred days in session,
28 as applicable.

29 2. "Average daily membership" means the total enrollment of fractional
30 students and full-time students, minus withdrawals, of each school day
31 through the first one hundred days or two hundred days in session, as
32 applicable, for the current year. Withdrawals include students formally
33 withdrawn from schools and students absent for ten consecutive school days,
34 except for excused absences as identified by the department of education.
35 For computation purposes, the effective date of withdrawal shall be
36 retroactive to the last day of actual attendance of the student.

37 (a) "Fractional student" means:

38 (i) For common schools, until fiscal year 2001-2002, a preschool child
39 who is enrolled in a program for preschool children with disabilities of at
40 least three hundred sixty minutes each week or a kindergarten student at
41 least five years of age prior to January 1 of the school year and enrolled in
42 a school kindergarten program that meets at least three hundred forty-six
43 instructional hours during the minimum number of days required in a school
44 year as provided in section 15-341. In fiscal year 2001-2002, the
45 kindergarten program shall meet at least three hundred forty-eight hours. In

1 fiscal year 2002-2003, the kindergarten program shall meet at least three
 2 hundred fifty hours. In fiscal year 2003-2004, the kindergarten program
 3 shall meet at least three hundred fifty-two hours. In fiscal year 2004-2005,
 4 the kindergarten program shall meet at least three hundred fifty-four hours.
 5 In fiscal year 2005-2006 and each fiscal year thereafter, the kindergarten
 6 program shall meet at least three hundred fifty-six hours. Lunch periods and
 7 recess periods may not be included as part of the instructional hours unless
 8 the child's individualized education program requires instruction during
 9 those periods and the specific reasons for such instruction are fully
 10 documented. In computing the average daily membership, preschool children
 11 with disabilities and kindergarten students shall be counted as one-half of a
 12 full-time student. For common schools, a part-time student is a student
 13 enrolled for less than the total time for a full-time student as defined in
 14 this section. A part-time common school student shall be counted as
 15 one-fourth, one-half or three-fourths of a full-time student if the student
 16 is enrolled in an instructional program that is at least one-fourth, one-half
 17 or three-fourths of the time a full-time student is enrolled as defined in
 18 subdivision (b) of this paragraph.

19 (ii) For high schools, a part-time student who is enrolled in less
 20 than four subjects that count toward graduation as defined by the state board
 21 of education in a recognized high school and who is taught in less than
 22 twenty instructional hours per week prorated for any week with fewer than
 23 five school days. A part-time high school student shall be counted as
 24 one-fourth, one-half or three-fourths of a full-time student if the student
 25 is enrolled in an instructional program that is at least one-fourth, one-half
 26 or three-fourths of a full-time instructional program as defined in
 27 subdivision (c) of this paragraph.

28 (b) "Full-time student" means:

29 (i) For common schools, ~~UNTIL THE END OF FISCAL YEAR 2006-2007,~~ a
 30 student who is at least six years of age prior to January 1 of a school year,
 31 who has not graduated from the highest grade taught in the school district
 32 and who is regularly enrolled in a course of study required by the state
 33 board of education, ~~AND BEGINNING IN FISCAL YEAR 2007-2008, A STUDENT WHO IS~~
 34 ~~AT LEAST FIVE YEARS OF AGE PRIOR TO SEPTEMBER 1 OF A SCHOOL YEAR, WHO HAS NOT~~
 35 ~~GRADUATED FROM THE HIGHEST GRADE TAUGHT IN THE SCHOOL DISTRICT AND WHO IS~~
 36 ~~REGULARLY ENROLLED IN A COURSE OF STUDY REQUIRED BY THE STATE BOARD OF~~
 37 ~~EDUCATION. BEGINNING IN FISCAL YEAR 2008-2009, EACH KINDERGARTEN STUDENT~~
 38 ~~SHALL BE COUNTED AS A FULL-TIME STUDENT. Until fiscal year 2001-2002,~~ First,
 39 second and third grade students, ungraded students at least six, but under
 40 nine, years of age by September 1 or ungraded group B children with
 41 disabilities who are at least five, but under six, years of age by September
 42 1 must be enrolled in an instructional program that meets for a total of at
 43 least ~~six hundred ninety-two~~ SEVEN HUNDRED TWELVE hours during the minimum
 44 number of days required in a school year as provided in section 15-341. ~~In~~
 45 ~~fiscal year 2001-2002, the program shall meet at least six hundred ninety-six~~

~~hours. In fiscal year 2002-2003, the program shall meet at least seven~~
~~hundred hours. In fiscal year 2003-2004, the program shall meet at least~~
~~seven hundred four hours. In fiscal year 2004-2005, the program shall meet~~
~~at least seven hundred eight hours. In fiscal year 2005-2006 and in each~~
~~fiscal year thereafter, the program shall meet at least seven hundred twelve~~
~~hours. Until fiscal year 2001-2002, Fourth, fifth and sixth grade students~~
~~or ungraded students at least nine, but under twelve, years of age by~~
~~September 1 must be enrolled in an instructional program that meets for a~~
~~total of at least eight hundred ~~sixty-five~~ NINETY hours during the minimum~~
~~number of school days required in a school year as provided in section~~
~~15-341. In fiscal year 2001-2002, the program shall meet at least eight~~
~~hundred seventy hours. In fiscal year 2002-2003, the program shall meet at~~
~~least eight hundred seventy-five hours. In fiscal year 2003-2004, the~~
~~program shall meet at least eight hundred eighty hours. In fiscal year~~
~~2004-2005, the program shall meet at least eight hundred eighty-five hours.~~
~~In fiscal year 2005-2006 and each fiscal year thereafter, the program shall~~
~~meet at least eight hundred ninety hours. Until fiscal year 2001-2002,~~
~~Seventh and eighth grade students or ungraded students at least twelve, but~~
~~under fourteen, years of age by September 1 must be enrolled in an~~
~~instructional program that meets for a total of at least one thousand~~
~~~~thirty-eight~~ SIXTY-EIGHT hours during the minimum number of days required in~~  
~~a school year as provided in section 15-341. In fiscal year 2001-2002, the~~  
~~program shall meet at least one thousand forty-four hours. In fiscal year~~  
~~2002-2003, the program shall meet at least one thousand fifty hours. In~~  
~~fiscal year 2003-2004, the program shall meet at least one thousand fifty six~~  
~~hours. In fiscal year 2004-2005, the program shall meet at least one~~  
~~thousand sixty two hours. In fiscal year 2005-2006 and each fiscal year~~  
~~thereafter, the program shall meet at least one thousand sixty eight hours.~~  
 Lunch periods and recess periods may not be included as part of the  
 instructional hours unless the student is a child with a disability and the  
 child's individualized education program requires instruction during those  
 periods and the specific reasons for such instruction are fully documented.

(ii) For high schools, a student not graduated from the highest grade  
 taught in the school district, or an ungraded student at least fourteen years  
 of age by September 1, and enrolled in at least a full-time instructional  
 program of subjects that count toward graduation as defined by the state  
 board of education in a recognized high school. A full-time student shall  
 not be counted more than once for computation of average daily membership.

(iii) For homebound or hospitalized, a student receiving at least four  
 hours of instruction per week.

(c) "Full-time instructional program" means:

~~(i) Through fiscal year 2000-2001, at least four subjects, each of~~  
~~which, if taught each school day for the minimum number of days required in a~~  
~~school year, would meet a minimum of one hundred twenty hours a year, or the~~  
~~equivalent, or one or more subjects taught in amounts of time totaling at~~

~~least twenty hours per week prorated for any week with fewer than five school days.~~

~~(ii) For fiscal year 2001-2002, an instructional program that meets at least a total of seven hundred four hours during the minimum number of days required and includes at least four subjects each of which, if taught each school day for the minimum number of days required in a school year, would meet a minimum of one hundred twenty two hours a year, or the equivalent, or one or more subjects taught in amounts of time totaling at least twenty hours per week prorated for any week with fewer than five school days.~~

~~(iii) For fiscal year 2002-2003, an instructional program that meets at least a total of seven hundred eight hours during the minimum number of days required and includes at least four subjects each of which, if taught each school day for the minimum number of days required in a school year, would meet a minimum of one hundred twenty two hours a year, or the equivalent, or one or more subjects taught in amounts of time totaling at least twenty hours per week prorated for any week with fewer than five school days.~~

~~(iv) For fiscal year 2003-2004, an instructional program that meets at least a total of seven hundred twelve hours during the minimum number of days required and includes at least four subjects each of which, if taught each school day for the minimum number of days required in a school year, would meet a minimum of one hundred twenty three hours a year, or the equivalent, or one or more subjects taught in amounts of time totaling at least twenty hours per week prorated for any week with fewer than five school days.~~

~~(v) For fiscal year 2004-2005, an instructional program that meets at least a total of seven hundred sixteen hours during the minimum number of days required and includes at least four subjects each of which, if taught each school day for the minimum number of days required in a school year, would meet a minimum of one hundred twenty three hours a year, or the equivalent, or one or more subjects taught in amounts of time totaling at least twenty hours per week prorated for any week with fewer than five school days.~~

~~(vi) For fiscal year 2005-2006 and each fiscal year thereafter, an instructional program that meets at least a total of seven hundred twenty hours during the minimum number of days required and includes at least four subjects each of which, if taught each school day for the minimum number of days required in a school year, would meet a minimum of one hundred twenty-three hours a year, or the equivalent, or one or more subjects taught in amounts of time totaling at least twenty hours per week prorated for any week with fewer than five school days.~~

3. "Budget year" means the fiscal year for which the school district is budgeting and which immediately follows the current year.

4. "Common school district" means a political subdivision of this state offering instruction to students in programs for preschool children with disabilities and kindergarten programs and grades one through eight.

1           5. "Current year" means the fiscal year in which a school district is  
2 operating.

3           6. "Daily attendance" means:

4           (a) For common schools, days in which a pupil:

5           (i) Of a kindergarten program or ungraded, but not group B children  
6 with disabilities, and at least five, but under six, years of age by  
7 September 1 attends at least three-quarters of the instructional time  
8 scheduled for the day. If the total instruction time scheduled for the year  
9 is at least three hundred forty-six hours but is less than six hundred  
10 ninety-two hours such attendance shall be counted as one-half day of  
11 attendance. If the instructional time scheduled for the year is at least ~~six~~  
12 ~~hundred ninety-two~~ SEVEN HUNDRED TWELVE hours, "daily attendance" means days  
13 in which a pupil attends at least one-half of the instructional time  
14 scheduled for the day. UNTIL THE END OF FISCAL YEAR 2006-2007, such  
15 attendance shall be counted as one-half day of attendance. BEGINNING IN  
16 FISCAL YEAR 2007-2008, SUCH ATTENDANCE FOR A KINDERGARTEN STUDENT SHALL BE  
17 COUNTED AS ONE DAY OF ATTENDANCE.

18           (ii) Of the first, second or third grades, ungraded and at least six,  
19 but under nine, years of age by September 1 or ungraded group B children with  
20 disabilities and at least five, but under six, years of age by September 1  
21 attends more than three-quarters of the instructional time scheduled for the  
22 day.

23           (iii) Of the fourth, fifth or sixth grades or ungraded and at least  
24 nine, but under twelve, years of age by September 1 attends more than  
25 three-quarters of the instructional time scheduled for the day, except as  
26 provided in section 15-797.

27           (iv) Of the seventh or eighth grades or ungraded and at least twelve,  
28 but under fourteen, years of age by September 1 attends more than  
29 three-quarters of the instructional time scheduled for the day, except as  
30 provided in section 15-797.

31           (b) For common schools, the attendance of a pupil at three-quarters or  
32 less of the instructional time scheduled for the day shall be counted as  
33 follows, except as provided in section 15-797 and except that attendance for  
34 a fractional student shall not exceed the pupil's fractional membership:

35           (i) If attendance for all pupils in the school is based on quarter  
36 days, the attendance of a pupil shall be counted as one-fourth of a day's  
37 attendance for each one-fourth of full-time instructional time attended.

38           (ii) If attendance for all pupils in the school is based on half days,  
39 the attendance of at least three-quarters of the instructional time scheduled  
40 for the day shall be counted as a full day's attendance and attendance at a  
41 minimum of one-half but less than three-quarters of the instructional time  
42 scheduled for the day equals one-half day of attendance.

43           (c) For common schools, the attendance of a preschool child with  
44 disabilities shall be counted as one-fourth day's attendance for each  
45 thirty-six minutes of attendance not including lunch periods and recess

1 periods, except as provided in paragraph 2, subdivision (a), item (i) of this  
 2 subsection for children with disabilities up to a maximum of three hundred  
 3 sixty minutes each week.

4 (d) For high schools or ungraded schools in which the pupil is at  
 5 least fourteen years of age by September 1, the attendance of a pupil shall  
 6 not be counted as a full day unless the pupil is actually and physically in  
 7 attendance and enrolled in and carrying four subjects, each of which, if  
 8 taught each school day for the minimum number of days required in a school  
 9 year, would meet a minimum of one hundred twenty hours a year, or the  
 10 equivalent, that count toward graduation in a recognized high school except  
 11 as provided in section 15-797 and subdivision (e) of this paragraph.  
 12 Attendance of a pupil carrying less than the load prescribed shall be  
 13 prorated.

14 (e) For high schools or ungraded schools in which the pupil is at  
 15 least fourteen years of age by September 1, the attendance of a pupil may be  
 16 counted as one-fourth of a day's attendance for each sixty minutes of  
 17 instructional time in a subject that counts toward graduation, except that  
 18 attendance for a pupil shall not exceed the pupil's full or fractional  
 19 membership.

20 (f) For homebound or hospitalized, a full day of attendance may be  
 21 counted for each day during a week in which the student receives at least  
 22 four hours of instruction.

23 (g) For school districts which maintain school for an approved  
 24 year-round school year operation, attendance shall be based on a computation,  
 25 as prescribed by the superintendent of public instruction, of the one hundred  
 26 eighty days' equivalency or two hundred days' equivalency, as applicable, of  
 27 instructional time as approved by the superintendent of public instruction  
 28 during which each pupil is enrolled.

29 7. "Daily route mileage" means the sum of:

30 (a) The total number of miles driven daily by all buses of a school  
 31 district while transporting eligible students from their residence to the  
 32 school of attendance and from the school of attendance to their residence on  
 33 scheduled routes approved by the superintendent of public instruction.

34 (b) The total number of miles driven daily on routes approved by the  
 35 superintendent of public instruction for which a private party, a political  
 36 subdivision or a common or a contract carrier is reimbursed for bringing an  
 37 eligible student from the place of his residence to a school transportation  
 38 pickup point or to the school of attendance and from the school  
 39 transportation scheduled return point or from the school of attendance to his  
 40 residence. Daily route mileage includes the total number of miles necessary  
 41 to drive to transport eligible students from and to their residence as  
 42 provided in this paragraph.

43 8. "District support level" means the base support level plus the  
 44 transportation support level.

45 9. "Eligible students" means:



(a) Students who are transported by or for a school district and who qualify as full-time students or fractional students, except students for whom transportation is paid by another school district or a county school superintendent, and:

(i) For common school students, whose place of actual residence within the school district is more than one mile from the school facility of attendance or students who are admitted pursuant to section 15-816.01 and who meet the economic eligibility requirements established under the national school lunch and child nutrition acts (42 United States Code sections 1751 through 1785) for free or reduced price lunches and whose actual place of residence outside the school district boundaries is more than one mile from the school facility of attendance.

(ii) For high school students, whose place of actual residence within the school district is more than one and one-half miles from the school facility of attendance or students who are admitted pursuant to section 15-816.01 and who meet the economic eligibility requirements established under the national school lunch and child nutrition acts (42 United States Code sections 1751 through 1785) for free or reduced price lunches and whose actual place of residence outside the school district boundaries is more than one and one-half miles from the school facility of attendance.

(b) Kindergarten students, for purposes of computing the number of eligible students under subdivision (a), item (i) of this paragraph, shall be counted as full-time students, notwithstanding any other provision of law.

(c) Children with disabilities, as defined by section 15-761, who are transported by or for the school district or who are admitted pursuant to chapter 8, article 1.1 of this title and who qualify as full-time students or fractional students regardless of location or residence within the school district or children with disabilities whose transportation is required by the pupil's individualized education program.

(d) Students whose residence is outside the school district and who are transported within the school district on the same basis as students who reside in the school district.

10. "Enrolled" or "enrollment" means when a pupil is currently registered in the school district.

11. "GDP price deflator" means the average of the four implicit price deflators for the gross domestic product reported by the United States department of commerce for the four quarters of the calendar year.

12. "High school district" means a political subdivision of this state offering instruction to students for grades nine through twelve or that portion of the budget of a common school district which is allocated to teaching high school subjects with permission of the state board of education.

13. "Revenue control limit" means the base revenue control limit plus the transportation revenue control limit.

1       14. "Student count" means average daily membership as prescribed in  
2 this subsection for the fiscal year prior to the current year, except that  
3 for the purpose of budget preparation student count means average daily  
4 membership as prescribed in this subsection for the current year.

5       15. "Submit electronically" means submitted in a format and in a manner  
6 prescribed by the department of education.

7       16. "Total bus mileage" means the total number of miles driven by all  
8 buses of a school district during the school year.

9       17. "Total students transported" means all eligible students  
10 transported from their place of residence to a school transportation pickup  
11 point or to the school of attendance and from the school of attendance or  
12 from the school transportation scheduled return point to their place of  
13 residence.

14       18. "Unified school district" means a political subdivision of the  
15 state offering instruction to students in programs for preschool children  
16 with disabilities and kindergarten programs and grades one through twelve.

17       B. In this title, unless the context otherwise requires:

18       1. "Base" means the revenue level per student count specified by the  
19 legislature.

20       2. "Base level" means:

21       (a) For fiscal year 2004-2005, two thousand eight hundred ninety-three  
22 dollars eighteen cents.

23       (b) For fiscal year 2005-2006, three thousand one dollars.

24       (c) For fiscal year 2006-2007, three thousand one hundred thirty-three  
25 dollars fifty-three cents.

26       3. "Base revenue control limit" means the base revenue control limit  
27 computed as provided in section 15-944.

28       4. "Base support level" means the base support level as provided in  
29 section 15-943.

30       5. "Certified teacher" means a person who is certified as a teacher  
31 pursuant to the rules adopted by the state board of education, who renders  
32 direct and personal services to school children in the form of instruction  
33 related to the school district's educational course of study and who is paid  
34 from the maintenance and operation section of the budget.

35       6. "ED, MIMR, SLD, SLI and OHI" means programs for children with  
36 emotional disabilities, mild mental retardation, a specific learning  
37 disability, a speech/language impairment and other health impairments.

38       7. "ED-P" means programs for children with emotional disabilities who  
39 are enrolled in private special education programs as prescribed in section  
40 15-765, subsection D, paragraph 1 or in an intensive school district program  
41 as provided in section 15-765, subsection D, paragraph 2.

42       8. "ELL" means English learners who do not speak English or whose  
43 native language is not English, who are not currently able to perform  
44 ordinary classroom work in English and who are enrolled in an English  
45 language education program pursuant to sections 15-751, 15-752 and 15-753.

1           9. "Full-time equivalent certified teacher" or "FTE certified teacher"  
2 means for a certified teacher the following:

3           (a) If employed full time as defined in section 15-501, 1.00.

4           (b) If employed less than full time, multiply 1.00 by the percentage  
5 of a full school day, or its equivalent, or a full class load, or its  
6 equivalent, for which the teacher is employed as determined by the governing  
7 board.

8           10. "Group A" means educational programs for career exploration, a  
9 specific learning disability, an emotional disability, mild mental  
10 retardation, remedial education, a speech/language impairment, homebound,  
11 bilingual, preschool moderate delay, preschool speech/language delay, other  
12 health impairments and gifted pupils.

13           11. "Group B" means educational improvements for pupils in kindergarten  
14 programs and grades one through three, educational programs for autism, a  
15 hearing impairment, moderate mental retardation, multiple disabilities,  
16 multiple disabilities with severe sensory impairment, orthopedic impairments,  
17 preschool severe delay, severe mental retardation and emotional disabilities  
18 for school age pupils enrolled in private special education programs or in  
19 school district programs for children with severe disabilities or visual  
20 impairment and English learners enrolled in a program to promote English  
21 language proficiency pursuant to section 15-752.

22           12. "HI" means programs for pupils with hearing impairment.

23           13. "Homebound" or "hospitalized" means a pupil who is capable of  
24 profiting from academic instruction but is unable to attend school due to  
25 illness, disease, accident or other health conditions, who has been examined  
26 by a competent medical doctor and who is certified by that doctor as being  
27 unable to attend regular classes for a period of not less than three school  
28 months or a pupil who is capable of profiting from academic instruction but  
29 is unable to attend school regularly due to chronic or acute health problems,  
30 who has been examined by a competent medical doctor and who is certified by  
31 that doctor as being unable to attend regular classes for intermittent  
32 periods of time totaling three school months during a school year. The  
33 medical certification shall state the general medical condition, such as  
34 illness, disease or chronic health condition, that is the reason that the  
35 pupil is unable to attend school. Homebound or hospitalized includes a  
36 student who is unable to attend school for a period of less than three months  
37 due to a pregnancy if a competent medical doctor, after an examination,  
38 certifies that the student is unable to attend regular classes due to risk to  
39 the pregnancy or to the student's health.

40           ~~14. "K" means kindergarten programs.~~

41           ~~15.~~ 14. "K-3" means kindergarten programs and grades one through  
42 three.

43           ~~16.~~ 15. "MD-R, A-R and SMR-R" means resource programs for pupils with  
44 multiple disabilities, autism and severe mental retardation.

1       ~~17.~~ 16. "MD-SC, A-SC and SMR-SC" means self-contained programs for  
 2 pupils with multiple disabilities, autism and severe mental retardation.  
 3       ~~18.~~ 17. "MDSSI" means a program for pupils with multiple disabilities  
 4 with severe sensory impairment.  
 5       ~~19.~~ 18. "MOMR" means programs for pupils with moderate mental  
 6 retardation.  
 7       ~~20.~~ 19. "OI-R" means a resource program for pupils with orthopedic  
 8 impairments.  
 9       ~~21.~~ 20. "OI-SC" means a self-contained program for pupils with  
 10 orthopedic impairments.  
 11       ~~22.~~ 21. "PSD" means preschool programs for children with disabilities  
 12 as provided in section 15-771.  
 13       ~~23.~~ 22. "P-SD" means programs for children who meet the definition of  
 14 preschool severe delay as provided in section 15-771.  
 15       ~~24.~~ 23. "Qualifying tax rate" means the qualifying tax rate specified  
 16 in section 15-971 applied to the assessed valuation used for primary property  
 17 taxes.  
 18       ~~25.~~ 24. "Small isolated school district" means a school district which  
 19 meets all of the following:  
 20       (a) Has a student count of fewer than six hundred in kindergarten  
 21 programs and grades one through eight or grades nine through twelve.  
 22       (b) Contains no school which is fewer than thirty miles by the most  
 23 reasonable route from another school, or, if road conditions and terrain make  
 24 the driving slow or hazardous, fifteen miles from another school which  
 25 teaches one or more of the same grades and is operated by another school  
 26 district in this state.  
 27       (c) Is designated as a small isolated school district by the  
 28 superintendent of public instruction.  
 29       ~~26.~~ 25. "Small school district" means a school district which meets  
 30 all of the following:  
 31       (a) Has a student count of fewer than six hundred in kindergarten  
 32 programs and grades one through eight or grades nine through twelve.  
 33       (b) Contains at least one school which is fewer than thirty miles by  
 34 the most reasonable route from another school which teaches one or more of  
 35 the same grades and is operated by another school district in this state.  
 36       (c) Is designated as a small school district by the superintendent of  
 37 public instruction.  
 38       ~~27.~~ 26. "Transportation revenue control limit" means the  
 39 transportation revenue control limit computed as prescribed in section  
 40 15-946.  
 41       ~~28.~~ 27. "Transportation support level" means the support level for  
 42 pupil transportation operating expenses as provided in section 15-945.  
 43       ~~29.~~ 28. "VI" means programs for pupils with visual impairments.  
 44       ~~30.~~ 29. "Voc. Ed." means career and technical education and vocational  
 45 education programs, as defined in section 15-781.

1       Sec. 3. Repeal

2       Section 15-901.02, Arizona Revised Statutes, is repealed.

3       Sec. 4. Title 15, chapter 9, article 1, Arizona Revised Statutes, is  
4 amended by adding a new section 15-901.02, to read:

5       15-901.02. Full-day kindergarten instruction

6       A. A SCHOOL DISTRICT OR CHARTER SCHOOL THAT RECEIVES MONIES FOR  
7 FULL-DAY KINDERGARTEN SHALL OFFER FULL-DAY KINDERGARTEN INSTRUCTION TO ALL  
8 PUPILS WHO MEET THE ENROLLMENT REQUIREMENTS FOR KINDERGARTEN PROGRAMS.  
9 PARENTS OF PUPILS WHO MEET THE ENROLLMENT REQUIREMENTS FOR VOLUNTARY  
10 KINDERGARTEN PROGRAMS IN A SCHOOL DISTRICT OR CHARTER SCHOOL SHALL CHOOSE  
11 EITHER HALF-DAY KINDERGARTEN INSTRUCTION OR FULL-DAY KINDERGARTEN  
12 INSTRUCTION.

13       B. SCHOOL DISTRICTS AND CHARTER SCHOOLS SHALL SUBMIT A REPORT TO THE  
14 SUPERINTENDENT OF PUBLIC INSTRUCTION THAT PROVIDES A DESCRIPTION OF ANY  
15 PROFESSIONAL DEVELOPMENT REQUIRED UNDER THIS SECTION, CLASS SIZE, DATA  
16 COLLECTED FROM STATE OR DISTRICT ASSESSMENTS OF KINDERGARTEN PUPILS IN BOTH  
17 FULL-DAY AND HALF-DAY PROGRAMS, STUDENT PROGRESS, THE NUMBER OF PUPILS  
18 SERVED, THE NUMBER OF PUPILS NOT SERVED AND THE REASONS THOSE PUPILS WERE NOT  
19 SERVED AND OTHER INFORMATION DETERMINED BY THE DEPARTMENT OF EDUCATION AND  
20 THE OFFICE OF THE AUDITOR GENERAL. THE DEPARTMENT OF EDUCATION IN  
21 CONJUNCTION WITH THE AUDITOR GENERAL SHALL PRESCRIBE THE FORMAT AND DUE DATE  
22 OF THE REPORT REQUIRED UNDER THIS SUBSECTION. THE REPORTS SUBMITTED IN  
23 FISCAL YEARS 2007-2008 AND 2008-2009 SHALL INCLUDE SUFFICIENT DETAIL TO  
24 ASSESS THE ALIGNMENT TO THE ACADEMIC, TEACHING AND RESEARCH-BASED STANDARDS  
25 OF PROFESSIONAL DEVELOPMENT. THE DEPARTMENT OF EDUCATION SHALL SUMMARIZE THE  
26 INFORMATION SUBMITTED AND SUBMIT A REPORT TO THE STATE BOARD OF EDUCATION AND  
27 SCHOOL DISTRICTS AND CHARTER SCHOOLS THAT INCLUDES RECOMMENDATIONS FOR  
28 IMPROVEMENT.

29       C. SCHOOL DISTRICTS AND CHARTER SCHOOLS ARE NOT REQUIRED TO OFFER  
30 FULL-DAY KINDERGARTEN INSTRUCTION TO QUALIFYING STUDENTS IF THERE IS  
31 INSUFFICIENT CLASSROOM SPACE. SCHOOLS SHALL NOT SPEND FULL-DAY KINDERGARTEN  
32 MONIES IF SPACE LIMITATIONS RESULT IN CLASS SIZES THAT EXCEED THE AVERAGE  
33 CLASS SIZE OF THE DISTRICT OR CHARTER SCHOOL.

34       D. ALL SCHOOL DISTRICTS AND CHARTER SCHOOLS THAT SPEND FULL-DAY  
35 KINDERGARTEN MONIES SHALL PROVIDE PROFESSIONAL DEVELOPMENT THAT IS DIRECTLY  
36 RELATED TO THE DELIVERY OF KINDERGARTEN STANDARDS IN A FULL-DAY PROGRAM. ANY  
37 SCHOOL THAT HAS NOT YET UNDERGONE PROFESSIONAL DEVELOPMENT FOR IMPLEMENTATION  
38 OF THE DELIVERY OF A RESEARCH-BASED READING CURRICULUM AS PRESCRIBED IN  
39 SECTION 15-704 SHALL DO SO ON OR BEFORE AUGUST 1, 2008.

40       E. FOR ANY SCHOOL DISTRICT THAT FUNDS VOLUNTARY FULL-DAY KINDERGARTEN  
41 INSTRUCTION WITH MONIES FROM A DESEGREGATION LEVY OR A SPECIAL BUDGET  
42 OVERRIDE PURSUANT TO SECTION 15-482 AND IF THE DESEGREGATION MONIES OR  
43 SPECIAL BUDGET OVERRIDE MONIES ARE USED SOLELY TO PROVIDE FULL-DAY  
44 KINDERGARTEN INSTRUCTION, THE GOVERNING BOARD SHALL HOLD A PUBLIC MEETING TO  
45 DETERMINE THE REALLOCATION OF THOSE MONIES TO OTHER PROGRAMS OR WHETHER THOSE

1 MONIES SHOULD BE USED TO REDUCE THE SCHOOL DISTRICT'S PRIMARY OR SECONDARY  
2 PROPERTY TAX LEVY, OR BOTH.

3 F. STATE MONIES FOR FULL-DAY KINDERGARTEN INSTRUCTION SHALL NOT BE  
4 PROVIDED FOR ANY PUPIL WHO IS NOT AT LEAST FIVE YEARS OF AGE BEFORE SEPTEMBER  
5 1 OF THE SCHOOL YEAR IN WHICH THE PUPIL IS ENROLLED.

6 G. THE DEPARTMENT OF EDUCATION SHALL RECOMMEND TO THE STATE BOARD OF  
7 EDUCATION A SCOPE OF WORK FOR A LONGITUDINAL STUDY OF FULL-DAY KINDERGARTEN  
8 PROGRAMS THAT INCLUDES IDENTIFICATION OF QUALITY ELEMENTS THAT ENHANCE THE  
9 EFFECTIVENESS OF FULL-DAY KINDERGARTEN PROGRAMS.

10 Sec. 5. Section 15-943, Arizona Revised Statutes, is amended to read:  
11 15-943. Base support level

12 The base support level for each school district shall be computed as  
13 follows:

14 1. The following support level weights shall be used in paragraph 2,  
15 subdivision (a) for the following school districts:

16 (a) For school districts whose student count in kindergarten programs  
17 and grades one through eight is classified in column 1 of this subdivision,  
18 the support level weight for kindergarten programs and grades one through  
19 eight is the corresponding support level weight prescribed in column 2 or 3  
20 of this subdivision, whichever is appropriate:

| <u>Column 1</u>      | <u>Column 2</u>                                    | <u>Column 3</u>                                    |
|----------------------|----------------------------------------------------|----------------------------------------------------|
|                      | Support Level Weight<br>For Small Isolated         | Support Level Weight<br>For Small                  |
| <u>Student Count</u> | <u>School Districts</u>                            | <u>School Districts</u>                            |
| 1-99                 | 1.559                                              | 1.399                                              |
| 100-499              | $1.358 + [0.0005 \times (500$<br>- student count)] | $1.278 + [0.0003 \times (500$<br>- student count)] |
| 500-599              | $1.158 + [0.002 \times (600$<br>- student count)]  | $1.158 + [0.0012 \times (600$<br>- student count)] |

30 (b) For school districts whose student count in grades nine through  
31 twelve is classified in column 1 of this subdivision, the support level  
32 weight for grades nine through twelve is the corresponding support level  
33 weight prescribed in column 2 or 3 of this subdivision, whichever is  
34 appropriate:

| <u>Column 1</u>      | <u>Column 2</u>                                    | <u>Column 3</u>                                    |
|----------------------|----------------------------------------------------|----------------------------------------------------|
|                      | Support Level Weight<br>For Small Isolated         | Support Level Weight<br>For Small                  |
| <u>Student Count</u> | <u>School Districts</u>                            | <u>School Districts</u>                            |
| 1-99                 | 1.669                                              | 1.559                                              |
| 100-499              | $1.468 + [0.0005 \times (500$<br>- student count)] | $1.398 + [0.0004 \times (500$<br>- student count)] |
| 500-599              | $1.268 + [0.002 \times (600$<br>- student count)]  | $1.268 + [0.0013 \times (600$<br>- student count)] |

2. Subject to paragraph 1, determine the weighted student count as follows:

(a)

| <u>Grade</u> | <u>Base</u> |   | <u>Group A</u> |   | <u>Support Level Weight</u> |   | <u>Student Count</u> |   | <u>Weighted Student Count</u> |
|--------------|-------------|---|----------------|---|-----------------------------|---|----------------------|---|-------------------------------|
| PSD          | 1.000       | + | 0.450          | = | 1.450                       | x | _____                | = | _____                         |
| K-8          | 1.000       | + | 0.158          | = | 1.158                       | x | _____                | = | _____                         |
| 9-12         | 1.163       | + | 0.105          | = | 1.268                       | x | _____                | = | _____                         |
|              |             |   |                |   |                             |   | Subtotal             | A | _____                         |

(b)

| <u>Funding Category</u>           | <u>Support Level Weight</u> |              | <u>Student Count</u>         |              | <u>Weighted Student Count</u> |
|-----------------------------------|-----------------------------|--------------|------------------------------|--------------|-------------------------------|
| HI                                | 4.771                       | x            | <u>          </u>            | =            | <u>          </u>             |
| <del>K, for fiscal year</del>     |                             |              |                              |              |                               |
| <del>2006-2007</del>              | <del>0.835</del>            | <del>x</del> | <del><u>          </u></del> | <del>=</del> | <del><u>          </u></del>  |
| <del>K, for fiscal year</del>     |                             |              |                              |              |                               |
| <del>2007-2008 and each</del>     |                             |              |                              |              |                               |
| <del>fiscal year thereafter</del> | <del>1.352</del>            | <del>x</del> | <del><u>          </u></del> | <del>=</del> | <del><u>          </u></del>  |
| K-3                               | 0.060                       | x            | <u>          </u>            | =            | <u>          </u>             |
| ELL                               | 0.115                       | x            | <u>          </u>            | =            | <u>          </u>             |
| MD-R, A-R and                     |                             |              |                              |              |                               |
| SMR-R                             | 6.024                       | x            | <u>          </u>            | =            | <u>          </u>             |
| MD-SC, A-SC and                   |                             |              |                              |              |                               |
| SMR-SC                            | 5.833                       | x            | <u>          </u>            | =            | <u>          </u>             |
| MD-SSI                            | 7.947                       | x            | <u>          </u>            | =            | <u>          </u>             |
| OI-R                              | 3.158                       | x            | <u>          </u>            | =            | <u>          </u>             |
| OI-SC                             | 6.773                       | x            | <u>          </u>            | =            | <u>          </u>             |
| P-SD                              | 3.595                       | x            | <u>          </u>            | =            | <u>          </u>             |
| ED, MIMR, SLD,                    |                             |              |                              |              |                               |
| SLI and OHI                       | 0.003                       | x            | <u>          </u>            | =            | <u>          </u>             |
| ED-P                              | 4.822                       | x            | <u>          </u>            | =            | <u>          </u>             |
| MOMR                              | 4.421                       | x            | <u>          </u>            | =            | <u>          </u>             |
| VI                                | 4.806                       | x            | <u>          </u>            | =            | <u>          </u>             |
| Subtotal                          |                             |              |                              | B            | <u>          </u>             |

(c) Total of subtotals A and B: \_\_\_\_\_

3. Multiply the total determined in paragraph 2 by the base level.

4. Multiply the teacher experience index of the district or 1.00, whichever is greater, by the product obtained in paragraph 3.